

AN

3.

APPEAL TO THE PUBLIC

ON BEHALF OF

A HOUSE OF REFUGE

FOR

COLOURED JUVENILE DELINQUENTS.



PHILADELPHIA:

T. K. & P. G. COLLINS, PRINTERS,

No. 1 LODGE ALLEY.

1846.

Digitized by the Internet Archive

in 2017 with funding from

This project is made possible by a grant from the Institute of Museum and Library Services as administered by the Pennsylvania Department of Education through the Office of Commonwealth Libraries

AN APPEAL

FOR A

REFUGE FOR COLOURED JUVENILE DELINQUENTS.

AT a meeting of citizens friendly to the establishment of a Refuge for Coloured Juvenile Delinquents, held on the 19th ult., at the Hall of the Franklin Institute, the undersigned were appointed a Committee for the purpose of collecting a sum of money, not less than \$25,000, to secure the attainment of the end had in view by the meeting. In pursuance of the duty thus imposed upon them, the Committee present for the consideration of their fellow citizens the following facts and arguments, to prove the urgent necessity for the immediate establishment of such an institution; and solicit their friendly influence and aid towards the accomplishment of this desirable object.

With the design of Houses of Refuge, most persons at the present day are familiar. It is to reclaim the young from the error of their ways, and place them in a position in which, by careful training, they may imbibe sound moral principles and acquire habits of self-discipline and industry, and a love of useful knowledge.

Of the manifold advantages resulting from the operation of these institutions there can be no question; there is abundant evidence that, by their discipline, many young persons

have been checked in their career of crime, and sent forth to become worthy citizens and useful members of society.

Heretofore the benefits of the institution established within the limits of our state and county have been confined, almost exclusively, to the white population of the commonwealth. It is not proposed now to argue the question of the propriety of this exclusive appropriation; but to show the urgent necessity for the extension of the sphere of operation of the institution, so as to include the Juvenile Coloured Population within our borders.

The existence of slavery throughout so large a portion of the Union has tended to degrade the coloured race in the social scale of this community, and operated adversely to the intellectual and moral improvement of our Coloured Population. That, under these circumstances, authentic statistics exhibit a vastly greater ratio of crime for the Coloured than for the White race, as compared with their respective numbers, should excite no surprise; yet it is presumed that few of our fellow citizens are aware of the great disproportion actually existing.

Population of Philadelphia County, according to the census of 1840:

White Population,	-	-	-	-	238,204
-------------------	---	---	---	---	---------

Coloured,	-	-	-	-	19,833
-----------	---	---	---	---	--------

Proportion of Coloured to White Population, about as 1 to 12.

Number of Paupers in Blockley Alms-House, January 3d, 1846.

White Paupers,	-	-	-	-	1,583
----------------	---	---	---	---	-------

Coloured,	-	-	-	-	240
-----------	---	---	---	---	-----

Ratio of Coloured to White Paupers, about as 1 to 6 $\frac{3}{5}$.

Number of untried Prisoners received into the Philadelphia County Prison, in Moyamensing, during the years 1841, '42, '43, '44 and '45.

		White.		Coloured.
Received in 1841,	-	2,960	-	1,936
“ “ 1842,	-	3,129	-	1,834
“ “ 1843,	-	2,950	-	1,354
“ “ 1844,	-	3,809	-	1,737
“ “ 1845,	-	3,840	-	1,597
Total for 5 years,		16,688		8,458

Ratio of Coloured to White Prisoners rather more than 1 to 2

Number of Convicts in the Philadelphia County Prison, in January 1845 and '46.

		White.		Coloured.
January, 1845,	- -	103	-	67
“ 3d, 1846,	- -	120	-	90

The ratio of Coloured to White Convicts at the first named period being about as 2 to 3, and at the last named period as 3 to 4.

Number of Convicts received into the Philadelphia County Prison, during the years 1838 and '39.

White Convicts,	- - - -	231
Coloured “	- - - -	259

To make the ratio of White to Coloured Convicts correspond with the ratio of the respective numbers of the two races in the population of the county, would have required about 3,108 instead of 231 White Convicts.

Population of the Eastern District of Pennsylvania, according to the census of 1840 :

White Population,	- - - -	870,792
Coloured “	- - - -	37,952

Ratio of Coloured to White Population about as 1 to 23.

Number of Convicts committed to the Eastern Penitentiary of Pennsylvania, from the opening of the institution in 1829, to December 31st, 1845.

White Convicts,	-	-	-	-	1,367
Coloured “	-	-	-	-	692

Ratio of Coloured to White Prisoners rather more than 1 to 2.

The only inference which can fairly be drawn from this array of facts is, that if a House of Refuge be necessary for the White, it is doubly requisite for the Coloured portion of our community.

A doubt can hardly be entertained, that it is cheaper to pay, at the present time, for the correction of vicious and idle habits in the young, than at a future period to be compelled to defray the expenses of Police, Criminal Courts, Penitentiaries and Alms-Houses, occasioned by the bad conduct of the same individuals, mature in years and hardened in sin. Economy then points to the expediency, Philanthropy to the duty of making provision for arresting the vicious portion of our youthful Coloured Population in their downward course of crime.

A favourable opportunity for accomplishing the desired object is now presented. After several conferences, and the discussion of various plans among the friends of this measure, the Board of Managers of the House of Refuge, at a meeting held on the 3d ult., adopted the following resolution, viz :

“Resolved, That if the sum of Twenty-five Thousand Dollars shall be contributed by private subscription, and paid into the hands of the Treasurer of this Institution, within twelve months from the date of the passage of this resolution, this Board will appropriate a similar sum from the funds of this Institution, for the purchase of a site suitable for the erection of buildings adapted to the purpose of a House of Refuge for Coloured Juvenile Offenders, and also

for the erection, at some future time, of buildings adapted to the purpose of a House of Refuge for White Juvenile Offenders—it being understood there shall be a total separation of the inmates of the two departments of the Institution;—that they will cause to be erected and furnished, with all reasonable despatch, the buildings designed for the accommodation of Coloured Children; that they will assume the management and control of the same, in accordance with the laws at present existing, or such others as may be passed in relation thereto—receiving into said Institution as many inmates as the funds placed at the disposal of this Board will, in their estimation, warrant; and finally, that this Board design, that when new buildings for the accommodation of White Juvenile Offenders committed to their care are to be erected, that they shall be erected on the site purchased as above stated.”

From the tenor of the above resolution, it appears that the Board of Managers of the House of Refuge are willing to expend \$25,000 in the purchase of a site and the erection of suitable buildings for a House of Refuge for Coloured Juvenile Offenders, provided a like sum be contributed by subscription, and paid into the hands of the Treasurer of the present institution, within one year from the date of the adoption of said resolution.

This sum of \$25,000 now offered by the Board of Managers of the House of Refuge, is greater than the whole amount originally contributed by private subscription towards the purchase of the site and the erection of the buildings of the institution. A larger sum could not, therefore, reasonably be asked from this source, nor could a larger sum be appropriated without hazard to the interests, if not the existence of the present House of Refuge. The opportunity now presented, for securing the establishment of an institution so much needed, is undoubtedly favourable, and the undersigned fervently hope that through the liberality of their philanthropic fellow citizens it may be embraced.

Such of them as feel a peculiar interest in the welfare of the Coloured race, and who have objected to the entire separation of the White and Coloured Children, contemplated by the resolution on the ground of its perpetuating a prejudice already deeply rooted in the minds of this community,—the Committee would respectfully refer to the operation of the many beneficial institutions existing among us, for the exclusive benefit of the Coloured race, and which were founded and have been sustained by their white friends. Have the Infant and other Schools, or the shelter for Coloured Orphans been found to be the less beneficial to the recipients of these charities, because there has been no commixture of White with Coloured Children in them? or have they tended to strengthen the prejudice against the Coloured race? Had it been so, it can hardly be doubted that their doors would long since have been closed. The Committee do not hesitate to express their opinion, that whenever it is desirable, in the estimation of a majority of the community in which we live, that this separation should no longer be maintained, it will cease.

It is impossible to accommodate the Coloured Juvenile Delinquents of Philadelphia County within the walls of the present House of Refuge, and equally impossible to extend these walls, as they are bounded on all sides by public streets. Under these circumstances, if Coloured Children are to be provided for at all, it must be, for some time to come, in buildings erected on a different site from that occupied by the Refuge for White Children, and of course entirely separate from it.

The alternative before us, in the present posture of these measures is *either to abandon totally and for many years, the idea of founding a Refuge for Coloured Children, or to erect one in the manner and with the design now contemplated.* And when it is remembered that the necessity for such an institution has been urged by the various Judges of our Criminal Courts, Police Magistrates and Guardians of the Poor, whose

opportunities to learn the degraded and exposed condition of this portion of our population are daily occurring ; and the same call has been reiterated by successive Grand Juries almost down to this very day ; and these appeals are, moreover, sustained by the appalling statistics which have been already presented, the Committee cannot but hope that those who have stood forward as the friends of the Coloured race, will forego all minor considerations and abstract questions of right, and embrace this opportunity for securing the establishment of an institution calculated to do so much good to the objects of their especial care.

Should the project now offered for consideration fail of accomplishment, hundreds, nay thousands who might be reclaimed from vice and misery will be suffered to pursue their downward course, and through all their future lives will be a continually increasing tax upon society, a burden to themselves, and to all classes of the community in which they dwell. It should never be forgotten, that in reforming a *Juvenile Delinquent*, of whatever class or colour, we make double gain ; for we take one from the total of Convicts and Paupers, and add one to the total of honest men and tax payers.

George Williams,
 Thomas Earp,
 Charles R. Demme,
 John Farnum,
 Isaac Collins,
 M. L. Dawson,
 Joseph R. Chandler.
 John Robbins, Jr.,
 Robert Earp,
 Robert Morris,
 Isaiah Hacker,
 John U. Fraley,
 Arthur G. Coffin,
 Benjamin H. Yarnall,

Jeremiah Hacker,
 Paul W. Newhall,
 Richard Vaux,
 William Biddle,
 John M. Whittall,
 Edward Yarnall,
 John M. Ogden,
 James R. Greeves,
 S. Austin Allibone,
 Oliver Brooks,
 John Biddle,
 John Bohlen, Jr.,
 Frederick A. Packard,
 Charles Ellis.

DECISION OF THE SUPREME COURT OF PENNSYLVANIA.

DECEMBER TERM, 1838.

[*Philadelphia, January 3, 1839.*][*Exparte Crouse.—Habeas Corpus.*]

PER CURIAM.—The House of Refuge is not a prison, but a school; where reformation, and not punishment, is the end. It may indeed be used as a prison for juvenile convicts who would else be committed to a common jail; and in respect to these, the constitutionality of the act which incorporated it, stands clear of controversy. It is only in respect of the application of its discipline to subjects admitted on the order of a court, a magistrate, or the managers of the Almshouse, that a doubt is entertained. The object of the charity is reformation, by training its inmates to industry; by imbuing their minds with principles of morality and religion; by furnishing them with means to earn a living; and, above all, by separating them from the corrupting influence of improper associates. To this end may not the natural parents, when unequal to the task of education, or unworthy of it, be superseded by the *parens patriæ*, or common guardian of the community? It is to be remembered that the public has a paramount interest in the virtue and knowledge of its members, and that, of strict right, the business of education belongs to it. That parents are ordinarily entrusted with it, is because it can seldom be put into better hands; but where they are incompetent or corrupt, what is there to prevent the public from withdrawing their faculties, held, as they obviously are, at its sufferance? The right of parental control is a natural, but not an unalienable one. It is not excepted by the declaration of rights out of the subjects of ordinary legislation; and it consequently remains subject to the ordinary legislative power, which, if wantonly or incon-

veniently used, would soon be constitutionally restricted, but the competency of which, as the government is constituted, cannot be doubted. As to abridgment of indefeasible rights by confinement of the person, it is no more than what is borne, to a greater or less extent, in every school; and we know of no natural right to exemption from restraints which conduce to an infant's welfare. Nor is there a doubt of the propriety of their application in the particular instance. The infant has been snatched from a course which must have ended in confirmed depravity; and, not only is the restraint of her person lawful, but it would be an act of extreme cruelty to release her from it.

Remanded.

